

FILED
3/7/22 2:03 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

Case No. 17-22967-JAD

John C. Churby
Sharon M. Churby,
Debtor(s).

Chapter 13

Related to Doc. Nos. 71, 73, 78, 79, 85,
86, and 87

Sharon M. Churby,
Movant(s),

Doc. # 90

vs.

No Respondents,
Respondent(s).

**CONSENT ORDER OF COURT SETTLING TRUSTEE'S OBJECTION TO MOTION TO
APPROVE SETTLEMENT OF WRONGFUL DEATH/SURVIVAL
CLAIM AND PROPOSED DISTRIBUTION**

WHEREAS, the Trustee objected to Debtor(s) Motion (at Doc 71) to approve settlement of a wrongful death action;

WHEREAS, the basis of the objection was the disposition of the non-exempt portion of the proceeds of the settlement;

WHEREAS, Debtor(s) and special counsel have filed response(s) to the objection at Docs 85, 86, and 87, which are incorporated herein;

WHEREAS, in light of the facts and circumstances of this case, including: the facts and contentions set forth in the responses; that the case is currently, and is to remain, a 100% plan, and that with the contemplated lump sum payment the Plan will be close to completion; and to avoid further time, costs, and expenses in addressing the disputes, the Trustee and Debtor(s) agree as follows:

(1) Sharon M. Churby will pay, within 10 days of the date of this Order, by cashier's check made payable to Ronda Winnecour and mailed, with a copy of this Order to "P.O. Box 2587 Pittsburgh PA 15230," a lump sum of \$9,523.51, which is to be treated as additional plan funding (i.e., not as a credit against the regular monthly plan payments). The lump sum payment will be used, after Trustee fees, to first pay Ms. Churby's timely filed sole and joint unsecured creditors up to 100%, with any surplus (as a result of prior distribution(s) to unsecured creditors out of the balance on hand from regular monthly plan payments) to be paid over to John C. Churby's unsecured creditors. For purposes of the implementation of this paragraph, Ms Churby's sole and joint creditors (and the claim amounts) have been identified as follows:

Claim # 19 Midland/Lowes \$ 559.87
Claim # 18 Midland/Credit One \$1,119.99
Claim # 17 Midland/Rural King \$2,142.18
Claim # 14 Quantum/Amazon \$ 866.63
Claim # 12 LVNV Resurgent/Calpital One \$ 454.25
Claim # 11 Dell \$ 809.60
Claim # 10 Merrick Bank \$1,192.68
Claim # 7 PRA/Walmart \$ 974.13
Claim # 6 Verizon \$ 65.97
Claim # 5 Verizon \$ 147.33
Claim # 1 Discover \$1,190.88

(2) The Plan shall, and by agreement, must remain a 100% plan and monthly payments shall continue as and when due until Trustee has received sufficient funds to complete the plan goals, including a 100% distribution to all timely filed unsecured creditors.

(3) This consent order resolves issues pertaining to the Court's approval of the settlement, and the Motion to approve settlement as filed at Doc 71 is approved. The Hearing scheduled for March 16, 2022, is hereby cancelled as moot.

So Ordered, this 7th day of March, 2022.

A handwritten signature in black ink, appearing to be "jsf", is written over a horizontal line.

U.S. Bankruptcy Judge

Jeffery A. Deller

Consented to:

/s/ Owen W. Katz

Owen W. Katz

US Steel Tower, Suite 3250

600 Grant Street

Pittsburgh, PA 15219

(412) 471-5566

Email: okatz@chapter13trusteewdpa.com

Attorney for Chapter 13 Trustee

/s/ Daniel R. White

Daniel R. White

P.O. Box 2123

Uniontown, PA 15401

Telephone: 724-439-9200

Email: dwhite@Zeblaw.com

Attorney for Debtor(s)

In re:
John C. Churby
Sharon M. Churby
Debtors

Case No. 17-22967-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Mar 07, 2022

User: auto
Form ID: pdf900

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Total Noticed: 66

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).
++++	Addresses marked '++++' were modified by the USPS Locatable Address Conversion System. This system converts rural route numbers to street addresses.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 09, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ John C. Churby, Sharon M. Churby, 7 Mountainside Way, Smithfield, PA 15478-1204
cr	+ Ally Financial, Tucker Arensberg, P.C., c/o Brett A. Solomon, Esquire, 1500 One PPG Place, Pittsburgh, Pa 15222-5413
cr	+ Cavalry SPV I, LLC, Bass & Associates, P.C., 3936 E. Ft. Lowell Rd, Suite #200, Tucson, AZ 85712-1083
sp	+ Cynthia A. Howell, Robert Peirce & Associates, 707 Grant St., Suite 125, Pittsburgh, PA 15219-1909
14663600	Allied Interstate, P.O. Box 1954, Southgate, MI 48195-0954
14663601	+ Allied Interstate, P.O. Box 361447, Columbus, OH 43236-1447
14663605	Atlantic Broadband, 120 Southmont Boulevard, Johnstown, PA 15905-4291
14663613	++++ CENTRAL CREDIT SERVICES, INC., 2070 LITTLE HILLS EXPY, SAINT CHARLES MO 63301-3708 address filed with court:, Central Credit Services, Inc., 20 Corporate Hills Drive, Saint Charles, MO 63301-3749
14663615	++ CREDIT PROTECTION ASSOCIATION LP, PARKWAY CENTER V, 2500 DALLAS PARKWAY SUTIE 500, PLANO TX 75093-4805 address filed with court:, Credit Protection Association, 13355 Noel Road--Suite 2100, Dallas, TX 75240
14676337	Ditech Financial LLC fka Green Tree Servicing LLC, P.O. Box 6154, Rapid City, South Dakota 57709-6154
14663619	Ditech Financial, LLC, Ditech Bankruptcy Department, P.O. Box 6154, Rapid City, SD 57709-6154
14663620	Encore Receivable Management, Inc., 400 North Rogers Road, P.O. Box 3330, Olathe, KS 66063-3330
14663624	Genpact Services, P.O. Box 1969, Southgate, MI 48195-0969
14663629	J.B. Robinson Jewelers, Attn: Bankruptcy, P.O. Box 1799, Akron, OH 44309-1799
14663631	+ JH Portfolio Debt Equities, 5230 Las Bergenes Road--Suite 265, Calabasas, CA 91302-3448
14663630	+ Jaffe & Asher, 2041 Springwood Road, York, PA 17403-4836
14663640	+ Tri-State Dermatology, 2160 Springhill Furnace Road, Smithfield, PA 15478-1428
14663641	Uniontown Hospital, 500 West Berkeley Street, Uniontown, PA 15401-5596

TOTAL: 18

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Mar 07 2022 23:27:38	Ally Financial, c/o AIS Portfolio Services, LP, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/PDF: ebn_ais@aisinfo.com	Mar 07 2022 23:27:23	Capital One Bank (USA) N.A. Cabela's Club Visa by, 4515 N. Santa Fe Ave., Oklahoma City, OK 73118-7901
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Mar 07 2022 23:27:32	Exeter Finance LLC, c/o AIS Portfolio Services, LP, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/Text: RASEBN@raslg.com	Mar 07 2022 23:13:00	New Residential Mortgage LLC, RAS Crane, LLC, 10700 Abbott's Bridge Road, Suite 170, Duluth, GA 30097-8461
14663604	Email/Text: g20956@att.com		

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		Mar 07 2022 23:14:00	AT&T Mobility, P.O. Box 10330, Fort Wayne, IN 46851-0330
14663602	Email/Text: ally@ebn.phinsolutions.com	Mar 07 2022 23:13:00	Ally Financial, P.O. Box 130424, Roseville, MN 55113-0004
14663603	Email/PDF: gecsedl@recoverycorp.com	Mar 07 2022 23:27:32	Amazon.com/Synchrony Bank, Attention: Bankruptcy Department, P.O. Box 965060, Orlando, FL 32896-5060
14663606	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 07 2022 23:27:37	Best Buy Credit Services, P.O. Box 790441, Saint Louis, MO 63179-0441
14663608	Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 07 2022 23:27:31	Capital One, c/o TSYS Total Debt Management, P.O. Box 5155, Norcross, GA 30091
14722200	+ Email/PDF: ebn_ais@aisinfo.com	Mar 07 2022 23:27:23	CAPITAL ONE BANK (USA), N.A., Cabela's Club Visa by American Infosourc, 4515 N. Santa Fe Ave., Oklahoma City, OK 73118-7901
14663607	Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 07 2022 23:27:21	Cabela's Club Visa/World's Foremost Bank, P.O. Box 82608, Lincoln, NE 68501-2608
14663609	Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 07 2022 23:27:22	Capital One Retail Services/Polaris, P.O. Box 30257, Salt Lake City, UT 84130-0257
14663610	Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 07 2022 23:27:31	Capital One Retail Services/Yamaha, P.O. Box 30257, Salt Lake City, UT 84130-0257
14690748	+ Email/Text: bankruptcy@flagshipcredit.com	Mar 07 2022 23:14:00	CarFinance Capital, P.O. Box 3807, Coppell, Texas 75019-5877
14663611	+ Email/PDF: MerrickBKNotifications@Resurgent.com	Mar 07 2022 23:27:12	Carson Smithfield, P.O. Box 9216, Old Bethpage, NY 11804-9016
14663612	+ Email/Text: bankruptcy@cavps.com	Mar 07 2022 23:14:00	Cavalry Portfolio Services, P.O. Box 520, Valhalla, NY 10595-0520
14734247	+ Email/Text: bnc@bass-associates.com	Mar 07 2022 23:13:00	Cavalry SPV I, LLC, c/o Bass & Associates, P.C., 3936 E. Ft. Lowell Rd., Suite 200, Tucson, AZ 85712-1083
14707400	+ Email/Text: bankruptcy@cavps.com	Mar 07 2022 23:14:00	Cavalry SPV I, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
14663614	Email/PDF: creditonebknofications@resurgent.com	Mar 07 2022 23:27:12	Credit One Bank, P.O. Box 98873, Las Vegas, NV 89193-8873
14663616	Email/PDF: DellBKNotifications@resurgent.com	Mar 07 2022 23:27:23	Dell Financial Services, Billing Inquiry Department, P.O. Box 81577, Austin, TX 78708-1577
14663617	Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Mar 07 2022 23:13:00	DentalFirst Financing/Comenity Bank, P.O. Box 183043, Columbus, OH 43218-3043
14663618	Email/Text: mrdiscen@discover.com	Mar 07 2022 23:13:00	Discover, P.O. Box 30421, 5, Salt Lake City, UT 84130-0421
14666143	Email/Text: mrdiscen@discover.com	Mar 07 2022 23:13:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
14663621	+ Email/Text: bknotice@ercbpo.com	Mar 07 2022 23:14:00	Enhanced Recovery, P.O. Box 23870, Jacksonville, FL 32241-3870
14663622	+ Email/Text: bankruptcy@flagshipcredit.com	Mar 07 2022 23:14:00	Flagship Credit Acceptance, P.O. Box 2070, Coppell, TX 75019-8001
14663623	+ Email/Text: bankruptcy@flagshipcredit.com	Mar 07 2022 23:14:00	Flagship Credit Acceptance, P.O. Box 1419, Chadds Ford, PA 19317-0688
14663625	+ Email/Text: bankruptcy@affglo.com	Mar 07 2022 23:14:00	Global Credit & Collection Corp., 5440 North Cumberland Avenue--Suite 300, Chicago, IL 60656-1486
14663627	Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Mar 07 2022 23:13:00	HSN/Comenity Bank, Bankruptcy Department, P.O. Box 183043, Columbus, OH 43218-3043

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User: auto

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14663626	Email/PDF: gecsed@recoverycorp.com	Mar 07 2022 23:27:12	Home Design/Synchrony Bank, Attention: Bankruptcy Department, P.O. Box 965061, Orlando, FL 32896-5061
14663628	Email/PDF: gecsed@recoverycorp.com	Mar 07 2022 23:27:12	J C Penney/Synchrony Bank, Attn: Bankruptcy Department, P.O. Box 965060, Orlando, FL 32896-5060
14663633	+ Email/PDF: resurgentbknotifications@resurgent.com	Mar 07 2022 23:27:14	LVNV Funding, P.O. Box 10497, Greenville, SC 29603-0497
14712005	Email/PDF: resurgentbknotifications@resurgent.com	Mar 07 2022 23:27:14	LVNV Funding, LLC its successors and assigns as, assignee of FNBM, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14709634	Email/PDF: resurgentbknotifications@resurgent.com	Mar 07 2022 23:27:15	LVNV Funding, LLC its successors and assigns as, assignee of Capital One Bank (USA), N.A., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14663632	Email/PDF: gecsed@recoverycorp.com	Mar 07 2022 23:27:12	Lowe's/Synchrony Bank, Attn: Bankruptcy Department, P.O. Box 965060, Orlando, FL 32896-5060
14707956	Email/PDF: MerrickBKNotifications@Resurgent.com	Mar 07 2022 23:27:12	MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
14721689	+ Email/Text: bankruptcydpt@mcmcg.com	Mar 07 2022 23:14:00	MIDLAND FUNDING LLC, PO BOX 2011, WARREN, MI 48090-2011
14663634	Email/PDF: MerrickBKNotifications@Resurgent.com	Mar 07 2022 23:27:13	Merrick Bank, P.O. Box 9201, Old Bethpage, NY 11804-9001
14663635	+ Email/Text: bankruptcydpt@mcmcg.com	Mar 07 2022 23:14:00	Midland Funding, 2365 Northside Drive--Suite 300, San Diego, CA 92108-2709
15183855	Email/Text: mtgbk@shellpointmtg.com	Mar 07 2022 23:13:00	New Residential Mortgage LLC, P.O. Box 10826, Greenville, SC 29603-0826
14663637	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Mar 07 2022 23:27:14	Portfolio Recovery, 120 Corporate Boulevard--Suite 1, Norfolk, VA 23502
14702920	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Mar 07 2022 23:27:13	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14664047	+ Email/PDF: rmsced@recoverycorp.com	Mar 07 2022 23:27:13	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14713044	Email/Text: bnc-quantum@quantum3group.com	Mar 07 2022 23:13:00	Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
14663638	Email/PDF: gecsed@recoverycorp.com	Mar 07 2022 23:27:23	Rural King/Synchrony Bank, Attention: Bankruptcy Department, P.O. Box 965061, Orlando, FL 32896-5061
14663639	Email/PDF: ais.sprint.ebn@aisinfo.com	Mar 07 2022 23:27:21	Sprint, P.O. Box 8077, London, KY 40742
14697697	Email/PDF: ebn_ais@aisinfo.com	Mar 07 2022 23:27:13	Verizon, by American InfoSource LP as agent, PO Box 248838, Oklahoma City, OK 73124-8838
14663642	+ Email/Text: wfmelectronicbankruptcyntifications@verizonwireless.com	Mar 07 2022 23:13:00	Verizon, Attn: Bankruptcy, 500 Technology Drive, Weldon Spring, MO 63304-2225
14663643	Email/PDF: gecsed@recoverycorp.com	Mar 07 2022 23:27:33	Walmart/Synchrony Bank, Attn: Bankruptcy Department, P.O. Box 965060, Orlando, FL 32896-5060

TOTAL: 48

BYPASSED RECIPIENTS**The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a**

District/off: 0315-2

User: auto

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preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		DITECH FINANCIAL LLC
cr		Ditech Financial LLC
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14669387	*	Ally Financial, PO Box 130424, Roseville MN 55113-0004
14708874	*P++	DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577, address filed with court., Dell Financial Services, LLC, Resurgent Capital Services, PO Box 10390, Greenville, SC 29603-0390
14663636	##+	North Shore Agency, Inc., 270 Spagnoli Road--Suite 110, Melville, NY 11747-3515

TOTAL: 2 Undeliverable, 3 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 09, 2022

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 7, 2022 at the address(es) listed below:

Name	Email Address
Brett A. Solomon	on behalf of Creditor Ally Financial brett@solomon-legal.com
Brian Nicholas	on behalf of Creditor DITECH FINANCIAL LLC bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Ditech Financial LLC bnicholas@kmlawgroup.com
Charles Griffin Wohlrab	on behalf of Creditor New Residential Mortgage LLC cwohrlab@raslg.com
Daniel R. White	on behalf of Joint Debtor Sharon M. Churby lori@zeblaw.com;r63228@notify.bestcase.com;elisa@zeblaw.com
Daniel R. White	on behalf of Spec. Counsel Cynthia A. Howell lori@zeblaw.com;r63228@notify.bestcase.com;elisa@zeblaw.com
Daniel R. White	on behalf of Debtor John C. Churby lori@zeblaw.com;r63228@notify.bestcase.com;elisa@zeblaw.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com

TOTAL: 9